

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
PATRICK HENRY,

Plaintiff,

DECLARATION OF SERVICE
07 CV 9928 (DAB)(DCF)

- against -

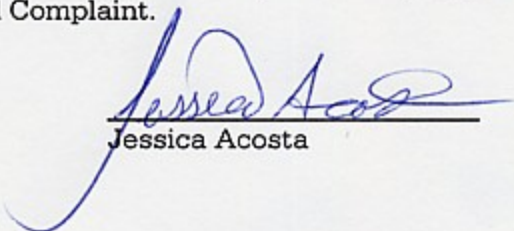
THE CITY OF NEW YORK, ET AL.,

Defendants.
-----x

STATE OF NEW YORK)
 : SS. :
COUNTY OF KINGS)

JESSICA ACOSTA declares the following under penalty of perjury
pursuant to 28 U.S.C. §1746:

That on November 30, 2007, I served the FIRST AMENDED COMPLAINT
upon defendant CITY OF NEW YORK by personally delivering a copy to 100
Church Street, New York, New York, that being the address within the State
designated for that purpose, as evidenced by the date/time stamp appearing on
the first page of the First Amended Complaint.



Jessica Acosta

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
PATRICK HENRY,

Plaintiff,

- against -

FIRST AMENDED
COMPLAINT
07 CV 9928 (DAB)(DCF)

THE CITY OF NEW YORK, "JANE DOE 1-3" and
"JOHN DOE," the names being fictitious and
presently unknown, being employees of the New
York City Department of Correction,

Defendants.

Jury Trial Demanded

-----X
Patrick Henry, by his attorney, Matthew Flamm, alleges the following as
his First Amended Complaint:

Nature of the Action

1. This civil rights action arises from the defendants' August 13, 2006 unlawful failure to protect Patrick Henry while plaintiff was imprisoned in a City-run jail on Rikers Island. Plaintiff sustained substantial injuries, including a fractured vertebra and nose. Mr. Henry seeks declaratory relief pursuant to 28 U.S.C. §2201 and, under 42 U.S.C. §1983, compensatory and punitive damages for violation of his civil rights.

Jurisdiction and Venue

2. This action arises under the Fourteenth Amendment to the United States Constitution and 42 U.S.C. §1983. This Court has subject matter jurisdiction over the federal claims pursuant to 28 U.S.C. §1331 and 28 U.S.C. §1343(3). Plaintiff asserts jurisdiction over the City of New York under 28 U.S.C. §1367. Plaintiff asks this Court to exercise pendent jurisdiction over those state

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CITY OF N.Y. LAW DEPT.
OFFICE OF CORP. COUNSEL
COMMUNICATIONS SECTION